

STATE OF RHODE ISLAND

DISTRICT COURT

AMENDMENT TO ADMINISTRATIVE ORDER 2020-07

RE: DISTRICT COURT EVICTION PROTOCOLS

EFFECTIVE DECEMBER 30, 2020

Pursuant to The Consolidated Appropriations Act, 2021, H.R. 133, 116th Cong., div. N, tit. V, § 502 (2020) signed by President Donald J. Trump on December 27, 2020,¹ *The Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19*, issued by the Centers for Disease Control and Prevention (CDC) on September 3, 2020 has been extended through January 31, 2021.

In accordance with the foregoing, District Court Administrative Order 2020-07, as amended herein, shall remain in full force and effect through January 31, 2021 unless otherwise modified by this Court.

NEW EVICTION FILINGS IN CASES WITH DECLARATIONS –

Effective November 3, 2020, new eviction filings for non-payment of rent in which a Declaration is submitted may be filed and may be heard in the normal course on a date to be provided by the Clerk's Office.

¹ As of the date of the issuance of this Order, no Public Law reference is available for the Consolidated Appropriations Act, 2021.

Judgments may enter at or after hearing, but no judgment will be enforceable until the expiration of the CDC Order or until further Order of this Court. No Executions shall issue until such time.

PENDING EVICTION FILINGS –

Those matters which were pending or filed as of or after September 4, 2020 and which were reassigned in accordance with Administrative Order 2020-06, shall be heard on the date presently assigned. The Court will send notice on any pending matters which require reassignment.

EXECUTIONS –

No Executions shall issue and no Motions to Enforce Judgment shall be entertained on any non-payment of rent case in which a Declaration has been filed, until the CDC Order shall expire or until further order of this Court. No Execution shall be served in any case where a Declaration has been filed until the CDC Order is terminated or until there is a further Order of the Court.

Motions to amend the monetary amount of a judgment before the Execution is issued may be filed when the moratorium is lifted or by future Order of the Court. Said Motions will be scheduled for hearing by the Court.

HEARINGS –

There are limited time slots available for Eviction matters. If you have a matter scheduled which has either been resolved or will be

continued, please contact the clerk's office immediately to have the case removed from the calendar. This will allow the Court to efficiently utilize those time slots. If a matter is scheduled for hearing, ALL parties must appear, or the case will be defaulted or dismissed.

APPEALS –

The appeal period for all non-payment of rent cases shall run five (5) days from the date of Entry of Judgment.

All other provisions of Administrative Order 2020-06 shall remain in full force and effect. Receipt of a Declaration by the Landlord must still be filed with the Court, as no Execution or Eviction may occur in those cases.

Entered as an Order of this Court on this 30th day of December 2020.

Enter:

By Order:

/s/

/s/

Jeanne E. LaFazia
Chief Judge

Stephen Waluk
Administrator